

Subapplicant information

Name of federal agency

FEMA

Type of submission

Application

SELECTMAN OFFICE

333 CALEF HIGHWAY

BARRINGTON, NH 03825 United States

State	DUNS #	EIN #
NH	092062447	020311338

Subapplicant type

Local Government

Is the subapplicant subject to review by Executive Order 12372 Process?

Yes-This Pre-application/application was made available to the Executive Order 12372 Process for review on.

Enter date

2021-01-26

Is the subapplicant delinquent on any federal debt?

No

Contact information

Subrecipient Authorized Representative (SAR)

Marcia Gasses	Primary phone	Mailing address
mgasses@barrington.nh.gov		
Conner MacIver	Primary phone	Mailing address
cmaciver@barrington.nh.gov		

Point(s) of contact

Marcia Gasses Town Planner mgasses@barrington.nh.gov	Primary phone 6036640195 Work Fax 6035342723 Mobile	Additional phones 6036647395 Work 6035342723 Mobile	Mailing address PO Box 660 Barrington NH 03825
Conner MacIver Town Administrator cmaciver@barrington.nh.gov	Primary phone 6036649007 Work Fax	Additional phones 6036647395 Work	Mailing address PO Box 660 Barrington NH 03825

Community

Please provide the following information. If the Congressional district number for your community does not display correctly, please contact your State NFIP coordinator.

Add Communities

Please find the community(ies) that will benefit from this mitigation activity by clicking on the Find communities button. If needed, modify the Congressional District number for each community by entering the updated number under the U.S. Congressional District column for that community. When finished, click the Continue button. NOTE: You should also notify your State NFIP coordinator so that the updated U.S. Congressional District number can be updated in the Community Information System (CIS) database.

Community name	County code	CID number	CRS community	CRS rating	U.S. Congressional District
BARRINGTON, TOWN OF	017	330178	N		1,2

Please provide any additional comments below (optional).

Attachments

Filename	Date uploaded	Uploaded by	Label	Description	Action
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Mitigation plan

Please provide your plan information below.

Is the entity that will benefit from the proposed activity covered by the current FEMA approved multi-hazard mitigation plan in compliance with 44 CFR Part 201? **Yes**

Please provide plan detail

Plan name	Plan type	Plan approval date
Multi-Hazard Mitigation Plan Update 2016	Local Multi-Hazard Mitigation Plan	09/28/2016

Proposed activity description

Scoping for Pond Hill & Daniel Cater Road Culvert Replacements. The Town of Barrington's Multi-Hazard Mitigation Plan Update 2016 outlined flooding as a high risk hazard. The Planning Committee established and adopted the following multi-hazard goals: (1) Ensure the protection of the general population, citizens and guests of Barrington, New Hampshire, before during and after a hazard. (2) Protect existing properties and structures through mitigation activities. (3) Provide resources to residents of Barrington, when needed, to become more resilient to hazards that impact the town's critical support services, critical facilities, infrastructure, economy, environment, historical & cultural treasures and private property. (4) Support the Presidential Policy Directive (PPD-8) through prevention, mitigation, preparedness, response and recovery actions. (5) Work regionally to identify, introduce and implement cost effective hazard mitigation measures in order to accomplish the town's goals. (6) Develop and implement programs to promote hazard mitigation to protect infrastructure throughout the town to reduce liability with respect to natural and human-caused hazards generally. (7) To address the challenges posed by climate change as they pertain to increasing risks in the town's infrastructure and natural environment."

Please provide any additional comments below (optional).

The mitigation plan was last updated in 2016. Since the update the Town has prioritized addressing addressing infrastructure that are prone to flooding. The several of the critical facilities have been addressed or are in the

process of being addressed including; Green Hill Road Bridge, Mallego Bridge, Young Road Culvert, and Old Settlers Road Bridge. Although not currently listed on the Hazard Mitigation Plan due to the age of the document the culverts at Pond Hill and Daniel Cater as well as the culverts on Lakeside Oaks have been plagued by multiple flooding events and road closures and will be included in the updated Hazard Mitigation Plan. Pond Hill was noted as washed out in a May 16, 2006 Fosters Article, a report to the State of NH OEM list Pond Hill Road as closed during the May 16, 2007 event, Daniel Cater Road was site 5 of 12 listed damaged facilities, and the culverts are reported by the Road Agent to need frequent attention to prevent water from entering the road.

Attachments

Filename	Date uploaded	Uploaded by	Label	Description	Action
Multi-Hazard Mitigation Plan.pdf	12/14/2020	mgasses@barrington.nh.gov	Mitigation Plan Attachments	No description given.	

Scope of work

The project Scope of Work (SOW) identifies the eligible activity, describes what will be accomplished and explains how the mitigation activity will be implemented. The mitigation activity must be described in sufficient detail to verify the cost estimate. All activities for which funding is requested must be identified in the SOW prior to the close of the application period. FEMA has different requirements for project, planning and management cost SOWs.

Subapplication title (include type of activity and location)

BRIC - Barrington - Pond Hill Rd and Daniel Cater Rd

Activities

Primary activity type

Develop or conduct engineering, environmental, feasibility and/or benefit cost analyses

Secondary activity type (Optional)

Activities supporting development of applications

Tertiary activity type (Optional)

Evaluate facilities to identify mitigation actions

Geographic areas description

43.2663264,-71.0330621 Located at the intersection of Pond Hill and Daniel Cater Road where Little Long Pond connected via a crossing to Ayers Lake. The Town of Barrington is located in the southeast portion of Strafford County in southern New Hampshire. Barrington is bounded on the north by Rochester, on the east by Madbury and Lee, on the south by Nottingham and on the west by Strafford and Northwood. Barrington covers an area of 48.6 square miles, with a land area of 46.4 square miles and a water area of 2.2 square miles. Barrington has a rectangular shape with sides measuring approximately seven miles in length. Barrington is a rural town with development increasing along the town's major corridors, including Route 125 and Route 9. The town is becoming a bedroom community for people who work at the University of New Hampshire and in job centers such as Manchester, Portsmouth, Portland, and Greater Boston. Land use in Barrington consists of forests and woodland, as well as lakes, ponds and wetlands. The Town is taking steps to preserve its scenic beauty as well as its farmland and historic buildings. Some of the most popular recreational areas in Barrington are Stonehouse Pond, the Isinglass River, Swains Lake, Mendums Pond and Ayers Lake.

Community lifelines

Primary community lifeline

Transportation

Primary sub-community lifeline

Highway/roadway/motor vehicle

Secondary community lifeline (optional)

Safety and security

Secondary sub-community lifeline

Community safety

Tertiary community lifeline (optional)

Hazard sources

Primary hazard source

Infrastructure failure

Secondary hazard source (optional)

Flooding

Tertiary hazard source (optional)

How will the mitigation activity be implemented?

The Town of Barrington is working with Hoyle Tanner Associates, Inc. on the development of the project replacing three undersized culverts that convey flow to Little Long Pond. The culverts are under Pond Hill Road and the other culverts are under Daniel Cater Road. The Daniel Cater Road culvert discharges Ayers Pond to a drainage swale that extends to one of the culverts under Pond Hill Road and ultimately drains into Little Long Pond. The other Pond Hill Culvert discharges a wetland into Little Long Pond. The Town of Barrington is submitting the project under the Project Scoping of the FEMA Building Resilient Infrastructure Communities (BRIC) Program. The purpose of providing this Scope of Services is to provide the engineering tasks and associated fee for input into the BRIC Project Scoping application.

What is the scope of work of the proposal? Will it result in a complete project application for future funding opportunities?

see attachment The scope should result in the necessary information for a complete project.

Who will manage and complete the mitigation activity?

The Town of Barrington with the assistance of Hoyle Tanner , Inc.

What are you doing to consider other risks in the project area?

Please see attached Scope of Services. In addition the Town has looked at past flooding locations throughout the Town in an effort to identify locations of most concern. This was done as part of the FEMA Risk Mapping exercise with the Fire Chief, Road Agent and Town Planner a few years ago. See attached areas of past flooding. The area of proposed mitigation is labeled #19 on the attached map.

Is there an estimate for when the mitigation activity will take place?

As soon as the grant award is made.

What alternatives will be considered?

Hoyle & Tanner will develop the most cost effective alternative plan for the replacement of the culverts for the Town.

Do activities being considered align with hazard mitigation plan?

Yes, Flooding is listed as having a High overall risk in Barrington. The Town is trying to develop a project that will prevent future infrastructure damage and road flooding and closure.

Additional comments (optional)

Attachments

Filename	Date uploaded	Uploaded by	Label	Description	Action
FIRMette.pdf	12/28/2020	meghan.wells@dos.nh.gov	Scope of Work Attachments	FIRMette	
Past Areas of Flooding Barrington.pdf	12/14/2020	mgasses@barrington.nh.gov	Scope of Work Attachments	No description given.	
Scope and Fee Pond Hill Rd.pdf	12/14/2020	mgasses@barrington.nh.gov	Scope of Work Attachments	No description given.	
Google Map.pdf	12/28/2020	meghan.wells@dos.nh.gov	Scope of Work Attachments	Google Map	

Schedule

Specify the work schedule for the mitigation activities.

Add tasks to the schedule

Please include all tasks necessary to implement this mitigation activity; include descriptions and estimated time frames.

Task Name	Start Month	Task Duration (in Months)
Condition Evaluation	4	7 months
Task Description S-1. Perform a site visit to observe existing conditions and obtain existing data (field measurements, photography, etc) for purpose of preparing an Alternative Analysis Report. Layout proposed boring location and mark surrounding area for Dig-safe. S-2 Coordinate subconsultant services for subsurface soil		

borings and topographic survey. Notification to NHDES and Town will be provided for borings as required by Env-Wq 1406.05. S-3 Delineate and flag invasive species, wetlands, surface waters and vernal pools within the project limits by a NH Certified Wetlands Scientist (CWS) S-4 Prepare a Request for Project Review (RPR) Form and submit to New Hampshire Division of Historical Resources (NHDHR) and NHDOT Bureau of Environment, Cultural Resources. Provide information to NHDOT Cultural Resource Committee CRC as needed for issuance of the Memorandum of Effect. S-5 Perform a hydrologic and hydraulic analysis to evaluate the existing structures and and to size proposed replacement structures. S-6 Prepare an alternative matrix summary for the Town to consider benefits and impacts of different structure types. The Alternative matrix will include conceptual cost estimates for each alternative evaluated. S-7 Perform a database search of the New Hampshire Heritage Bureau (NHNHB) Online Datacheck Tool for presence of any known rare species and exemplary natural communities, and of the US Fish and Wildlife Service (USFWS) Information for Planning and Conservation (IPaC) for federally listed species in the vicinity of the project site. S-8 Perform a data search of the New Hampshire Department of Environmental Services (NHDES) OneStop Geographic Information for presence of unknown hazardous waste sites in the vicinity of the project. S-9 Prepare conceptual plan and elevation for the proposed project. S-10 Prepare one Estimate of Probable Construction Costs for the proposed project. S-11 Attend one Select Board meeting to review initial recommendation and solicit input. S-12 Prepare a brief Scoping Report summarizing the hydraulic findings, existing condition assessments, and cost estimate for the recommended project, for submission to Town for review and approval. The conceptual plan and elevation for the proposed project will be included in the Scoping Report. S-13 Utilize FEMA software v6.0 to prepare a BCA in a format conforming to FEMA requirements to support a Building Resilient Infrastructure & Communities (BRIC) application. S-14 Meet with the Town to review BCA and remaining application efforts to determine if the project is eligible for a 2022 BRIC submission for final design and construction.

Go/No-Go Milestones: (1) Perform a site visit to observe existing conditions and obtain existing data, (2) Prepare a Request for Project Review (RPR) Form, (3) Perform a hydrologic and hydraulic analysis, (4) Prepare conceptual plan and elevation for the proposed project, (5) Utilize FEMA software v6.0 to prepare a BCA in a format conforming to FEMA requirements to support a Building Resilient Infrastructure & Communities (BRIC) application, (6) Meet with the Town to review BCA and remaining application efforts to determine if the project is eligible for a 2022 BRIC submission for final design and construction.

Task Name Acceptance of Grant Award	Start Month 1	Task Duration (in Months) 1 months
Task Description Signing Grant Acceptance		
Task Name Governor and Council Process	Start Month 2	Task Duration (in Months) 1 months
Task Description Approval by Governor and Council		
Task Name RFQ/Process	Start Month 3	Task Duration (in Months) 1 months
Task Description Request for Proposals		
Task Name Grant Close Out	Start Month 8	Task Duration (in Months) 1 months
Task Description Grant Close Out		

Estimate the total duration of your proposed activities **11** (in months).

Proposed project start and end dates

Start Date **2021-09-01**

End Date **2022-08-01**

Budget

Budget cost estimate and management cost (optional) should directly link to your scope of work and work schedule. You must add at least one item(s) greater than \$0 for your cost estimate. Once you have added item(s) for your cost estimate, you may then add the item(s) for management cost (optional). As necessary, please adjust your federal/non-federal cost shares and add the non-federal funding source(s) you are

planning to use this project. Once you have completed this section, please click the Continue button at the bottom of this page to navigate to the next section.

Add budget cost types and item(s)

Click the Add cost type button below to add cost type cost estimate and then click the Add item(s) button to add the item(s) for the cost estimate. After adding items to your cost estimate, you may then select Add cost type button again to add management costs (optional) and applicable items.

Grand total: \$52,925.25

Budget type: Non construction

▶	Cost type: Cost estimate	\$50,405.00
▶	Cost type: Management cost	\$2,520.25

Program income (optional)

Cost share

Cost share or matching means the portion of project costs not paid by federal funds.

Proposed federal vs. non-federal funding shares

Hazard Mitigation Assistance (HMA) funds may be used to pay up to 75% federal share of the eligible activity costs. For Building Resilient Infrastructure and communities (BRIC), small impoverished communities may be eligible for up to 90% federal share. For Flood Mitigation Assistance (FMA), and severe repetitive loss (SRL) properties may be eligible for up to 100% federal share. Repetitive loss (RL) properties may be eligible for up to 90% federal share. Flood Mitigation Assistance (FMA) and severe repetitive loss (SRL) properties may be eligible for up to 100% federal share. Repetitive loss (RL) properties may be eligible for up to 90% federal share.

Is this a small impoverished community? ⓘ		%	\$ Dollar amount
		Percentage	
	Proposed federal share	76.19	40324.00
	Proposed non-federal share	23.81	12601.25
This determines your		Based on total	

This determines your

federal/non-federal share
ratio.

No

budget cost:

\$52,925.25

**Please provide justification for exceeding
the allowable federal share here.**

Management Costs are reimbursed at a 100% federal share. Therefore, the federal share is \$40,324.00 (= \$50,405.00*.75 + 2,520.25). The non-federal share is \$12,601.25.

Non-federal funding sources here

That portion of the total costs of the program provided by the non-federal entity in the form of in-kind donations or cash match received from third parties or contributed by the agency. In-kind contributions must be provided and cash expended during the project period along with federal funds to satisfy the matching requirements.

Funding source	Funding amount	% Non-federal share by source
► Funding source: Bridge & Culvert Capital Reserve	\$12,601.25	100.00%

Please provide any additional comments below (optional).

Attachments

Filename	Date uploaded	Uploaded by	Label	Description	Action
Match-Commitment-letter-Barrington 201215.pdf	12/15/2020	mgasses@barrington.nh.gov	Budget Attachments	No description given.	

Cost-effectiveness

How was cost-effectiveness determined for this project?

☒ Not applicable

Please explain why this project is not applicable.

According to the FEMA GO User Manual, FEMA does not typically require cost-effectiveness analysis for project scoping Subapplications.

Please provide any additional comments below (optional).

Attachments

Filename	Date uploaded	Uploaded by	Label	Description	Action
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Evaluation

Is the applicant participating in the [Community Rating System \(CRS\)](#)? **No**

Is the applicant a [Cooperating Technical Partner \(CTP\)](#)? **No**

Was this created from a previous FEMA HMA Advance assistance / Project scoping award? **No**

Has the applicant adopted building codes consistent with the [international codes](#)? **Yes**

Year of building code **2015**

Please provide the building code. **2015**

Have the applicant's building codes been assessed on the [Building Code Effectiveness Grading Schedule \(BCEGS\)](#)? **No**

Describe involvement of partners to enhance the mitigation activity outcome.

Hoyle and Tanner has taken the lead on preparation of the data required for the application with the Town providing supporting information. The Road Agent for the Town was involved in identifying the need and describing the vulnerability of the existing infrastructure.

Additional comments (optional)

Attachments

Filename	Date uploaded	Uploaded by	Label	Description	Action
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Comments & attachments

▶ Community	0 comment, 0 attachments
▶ Mitigation plan	1 comment, 0 attachments
▶ Scope of work	0 comment, 2 attachments
▶ Budget	0 comment, 1 attachments
▶ Cost-effectiveness	0 comment, 0 attachments
▶ Evaluation	0 comment, 0 attachments

Assurances and certifications

OMB number: 4040-0007, Expiration date: 02/28/2022 [View burden statement](#)

SF-424B: Assurances - Non-Construction Programs

OMB Number: 4040-0007

Expiration Date: 02/28/2022

Certain of these assurances may not be applicable to your project or program. If you have any questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).

6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee- 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally-assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and

protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).

14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.
19. Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect (2) Procuring a commercial sex act during the period of time that the award is in effect or (3) Using forced labor in the performance of the award or subawards under the award.

OMB number: 1660-0083, Expiration date: 10/31/2021 [View burden statement](#)

Certifications regarding lobbying; Debarment, Suspension and other responsibility matters; and Drug-free workplace requirements

Content:

OMB Control Number: 1660-0083

Expiration: 10/31/2021

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 44 CFR Part 18, "New Restrictions on Lobbying" and 28 CFR Part 17, "Government-wide Debarment and Suspension (Nonprocurement) and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Federal Emergency Management Agency (FEMA) determines to award the transaction, grant, or cooperative agreement.

1. LOBBYING

As required by section 1352, Title 31 of the U.S. Code, and implemented at 44 CFR Part 18, for persons entering into a grant or cooperating agreement over \$ 100,000, as defined at 44 CFR Part 18, the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of

Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement.

(b) If any other funds than Federal appropriated funds have been paid or will be paid to any other person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or an employee of Congress, or employee of a member of Congress in connection with this Federal Grant or cooperative agreement, the undersigned shall complete and submit Stand Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all subrecipients shall certify and disclose accordingly.

☐ Standard Form-LLL : 'Disclosure of Lobbying Activities' attached (This form must be attached to certification if nonappropriated funds are to be used to influence activities.)

2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS (DIRECT RECIPIENT)

As required by Executive Order 12549, Debarment and Suspension, and implemented at 44 CFR Part 67, for prospective participants in primary covered transactions, as defined at 44 CFR Part 17, Section 17.510-A.

A. The applicant certifies that it and its principals:

- a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;
- b. Have not within a three-year period preceding this application been convicted of a or had a civilian judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or perform a public a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- c. Are not presently indicted for otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1) (b) of this certification; and
- d. Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause of default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

3. DRUG-FREE WORKPLACE (GRANTEE OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 44 CFR Part 17, Subpart F, for grantees, as defined at 44 CFR Part 17.615 and 17.620-

A. The applicant certifies that it will continue to provide a drug-free workplace by;

- a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- b. Establishing an on-going drug free awareness program to inform employees about-
 1. The dangers of drug abuse in the workplace;

2. The grantee's policy of maintaining a drug-free workplace;
 3. Any available drug counseling, rehabilitation, and employee assistance programs; and
 4. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- c. Making it a requirement that each employee to be engaged in the performance of the grant to be given a copy of the statement required by paragraph (a);
 - d. Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will-
 1. Abide by the term of the statement; and
 2. Notify the employee in writing of his or her conviction for a violation of a criminal drug statute occurring on the workplace no later than five calendar days after such convictions;
 - e. Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position, title, to the applicable FEMA awarding office, i.e., regional office or FEMA office.
 - f. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is convicted-
 1. Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation act of 1973, as amended; or
 2. Requiring such an employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
 - g. Making a good faith effort to continue to maintain a drug free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, City, County, State, Zip code)

☐ There are workplaces on file that are not identified

Sections 17.630 of the regulations provide that a grantee that is a State may elect to make one certification in each Federal fiscal year. A copy of which should be included with each application for FEMA funding. States and State agencies may elect to use a state wide certification.